

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

IGOR MYASKOVSKY,
Plaintiff,

v.

Case No. 07-C-298

METAVANTE CORP.,
Defendant.

ORDER

Plaintiff filed this case on March 27, 2007. Pursuant to Fed. R. Civ. P. 4(m) and Civil L.R. 41.1 plaintiff had 120 days from filing within which to effect service of the complaint upon the defendant. That time period expired on July 25, 2007, yet no proof of service was submitted to the court. In an order of September 19, 2007, I allowed plaintiff an extension of the period for service and warned him that I would dismiss the case if proof of service upon defendant was not filed by October 19, 2007.

On October 18, 2007, plaintiff, in an apparent attempt to comply with my order, filed a blank waiver of service packet and a copy of the complaint. He did not, however, file any proof that defendant was appropriately served with process or waived service. I granted plaintiff one more extension of time, until February 25, 2008, to properly serve defendant and file proof of service with the court. To date, no proof of service has been filed. Federal Rule of Civil Procedure 4(m) and Civil L.R. 41.1 thus allow me to dismiss the case.

THEREFORE IT IS ORDERED that this case is **DISMISSED WITHOUT PREJUDICE** for failure of service.

Dated at Milwaukee, Wisconsin, this 9 day of April, 2008.

/s

LYNN ADELMAN
District Judge